

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 4 CASES LISTED IN
EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION OF
PEGGY PENCE, PH.D., FOR WAVE 4**

Come now the Defendants Ethicon, Inc.; Ethicon LLC; and Johnson & Johnson, and hereby adopt and incorporate by reference the *Daubert* motion filed against Peggy Pence, Ph.D., for Ethicon Wave 3, Dkt. 2759, 2760. Defendants respectfully request that the Court exclude Dr. Pence's testimony, for the reasons expressed in the Wave 3 briefing. This notice applies to the Wave 4 cases identified in Exhibit A attached hereto.

Dated: April 12, 2017

Respectfully submitted,

/s/ Christy D. Jones
Christy D. Jones
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4523
christy.jones@butlersnow.com

/s/ David B. Thomas

David B. Thomas (W.Va. Bar #3731)

Thomas Combs & Spann PLLC

300 Summers Street

Suite 1380 (25301)

P.O. Box 3824

Charleston, WV 25338

(304) 414-1807

dthomas@tcspllc.com

COUNSEL FOR DEFENDANTS

ETHICON, INC.; ETHICON LLC; AND

JOHNSON & JOHNSON

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Christy D. Jones

36118848v1